

Raymond D. Yowell
H. C. 30 Box 272
Spring Creek, Nv. 89815

Clerk, U. S. District Court
District of Nevada

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Raymond D. Yowell)
Plaintiff,)
v.)
The Bureau of the Fiscal Service)
and)
The United States Comptroller)
General,)
Defendants.)

Case No. 3:21-cv-00288-ART-CLB

Comes now, Raymond D. Yowell, the Plaintiff, Pro Se, by and through him self and files this answer to the Courts minute Order and answer to the U. S. Attorneys motion to dismiss the Plaintiffs Case.

WELL SETTLED UNITED STATES GOVERNMENT AMERICAN
INDIAN TRUSTEESHIP AND GUARDIANSHIP LAW

It is well settled United States Government Law that the United States Government is the absolute Trustee and absolute Guardian for all of the American Indians within the borders of the United States and all of the American Indians within the borders of the United States are the absolute wards of the United States Government.

The Plaintiff is an American Indian, and therefore pursuant to the United States Governments American Indian absolute Trusteeship Law and the United States Governments American Indian absolute Guardianship Law is an absolute ward of the United States Government.

THE PLAINTIFF ADDRESS, S THE COURTS MINUTE ORDER

The Plaintiff address, s the Courts Minute Order on page 1, that is in bold print beginning with line 3 wherein the Order states,

“ This notice is issued, in part, to alert the Plaintiff that if defendants have submitted evidence in support of a motion to dismiss or a motion for summary judgment on the pleadings, then the Court may treat the pending motion as a motion for summary judgment. If the Court grants summary judgment, then judgment may be entered against the Plaintiff and this lawsuit will end without trial.”

PLAINTIFFS ANSWER TO THE COURTS MINUTE ORDER ON PAGE 1.

The Plaintiff has not received any evidence what so ever from the U. S. Attorney that answers the Plaintiffs arguments that he has filed in this Case supporting his contention that the United States Government is his absolute Trustee and his absolute Guardian which is the material question of fact that the Plaintiff had presented in this Case.

Page 2, Courts minute Order
Plaintiffs answer to Fed. R. Civ. P. 2(b)(6)

Pursuant to the fact that the U. S. Attorney has failed to present any factual evidence of any kind refuting the Plaintiffs contention that the United States Government is his absolute Trustee and absolute Guardian, the Court can not dismiss this Case until the U. S. Attorney submits properly submitted evidence in support of the motion to dismiss on the pleadings.

Pursuant to the fact that the U. S, Attorney has failed to present any factual evidence of any kind, supported by declarations or sworn testimony that contradict the Plaintiffs contentions and allegations that the United States Government is not the Plaintiffs absolute Trustee and absolute Guardian, there remains the issue of material fact that goes to the heart of this Case that remains to be resolved. Pursuant to these facts, the Court must not grant the U. S. Attorneys motion to dismiss this Case.

Page 2. On motion to dismiss. Fed. R. Civ. P. 12(6)
Plaintiffs points and authorities in opposition to the United States Government s motion to dismiss this Case.

The following are the Plaintiffs points and authorities supporting his contention that the United States Government is the absolute American Indian Trustee and that the United States Government is the absolute American Indian Guardian over all of the American Indians within the borders of the United States.

1. The United States Supreme Court ruling in Cherokee Nation v. Georgia 30 U. S. 1 (1831).
2. The United States Government, in 1848, put the United States War Dept. in charge of American Indian affairs to exercise the United States Governments absolute American Indian Trusteeship law over all of the American Indian within the borders of the United States and to exercise the United States Governments absolute American Indian Guardianship Law over all of the American Indians within the borders of the United States.
3. The United States Government established the American Indian boarding schools thereby exercising the United States Governments absolute

American Indian Trusteeship Law and exercising the United States Governments absolute American Indian Guardianship Law over all the American Indian children within the borders of the United States.

4. United States Government Statute Code, all of Title 25.
5. United States Government Statute, Title 28, Section 175.
6. The United States Governments 1934 American Indian Reorganization Act that reorganized the United States Government American Indian absolute Trusteeship and the United States Governments American Indian absolute Guardianship over all of the American Indians within the borders of the United States.
7. On Nov, 6, 2000, United States President Bill Clinton, being in stalled in the highest United States Government Office, issued Executive Oder, No. 13175, reconfirming that all United States Government Departments, Bureaus, Agencies and entities are the Trustee and Guardian for all of the American Indians within the borders of the United States.
8. On Dec. 2, 2011, United States President Barak Obama, being in stalled in the highest United States Government Office, issued Executive Order No. 13592, reconfirming that all United States Government Departments, Bureaus, Agencies and entities are the Trustee and Guardian for all of the American Indians within the borders of the United States.
9. The United States Supreme Court Case, United States v. the Santa Fee Railroad Co., wherein the United States Government represented the American Indians in the U. S. Supreme Court as their absolute American Indian Trustee and absolute American Guardian.
10. The United States Supreme Court ruled in United States v. Dann in 1985, that the Secretary of the United States Interior Department was the Trustee and Guardian for the Dannels who were American Indian individuals by ancestor, were not enrolled in any American Indian nation, owned their property, paid all of the taxes on their property and were complying with all laws of the United States at the time the United States Government brought a law suit against them in 1974. This ruling by the U. S. Supreme Court proved that the United States Government is the Trustee and Guardian over all American individuals Indians and it also proved that the United States American Indian Trusteeship and the United States Governments American Indian Guardianship did not apply only to the American Indian Tribes within the borders of the United States but it also applied to the individual American Indians as well.
11. The United States Court Case, Nevada v, the United States, wherein the United States Government represented the American Indians as their Trustee and Guardian.

Page 2. Motion for judgment.

Fed. R. Civ. P. 12© FED. R. CIV. P. 12(c)

Plaintiffs points and authorities.

Page 3.

Pursuant to these Points and Authorities of the Plaintiff, the Court can not grant the United States Governments motion for judgment on this Case until the United States Government presents factual evidence to the Court that it is not the absolute Trustee and absolute Guardian for the Plaintiff.

PLAINTIFFS POINTS AND AUTHORITIES.

1. U. S. Supreme Court Case, Cherokee Nation v, Georgia, 30 U. S. 1. (1831).
2. The United States Government, in 1848, put the United States War Dept. in charge of American Indians affairs to exercise the United States Governments Trusteeship Law and the United States Governments absolute Guardianship Law over all of the American Indians within the borders of the United States.
3. The United States Government established the American Indian boarding schools thereby exercising the United states Governments absolute Trusteeship Law and the United States Governments absolute Guardianship Law over all of the American Indian children within the borders of the United States.
4. United States Government Statute , all of Title 25.
5. United States Government Statute Title 28, Section 175.
6. On Nov. 6. 2000, United States President Bill Clinton, holding the highest United States Government Office, issued Presidential Executive Order No. 13175, reconfirming that all United States Government Departments, Bureaus, Agencies and entities are the Trustee and Guardian for all of the American Indians within the borders of the United States.
7. On Dec. 2, 2011, United States President Barak Obama, holding the highest United States Government Office, issued Presidential executive Order No. 13592, reconfirming that all United States Government Departments, Bureaus, Agencies and entities are the Trustee and Guardian for all of the American Indians within the borders of the United States.
8. United States Supreme Court Case. United States v. the Santa Fee Railroad Co. wherein the United States Government represented the American Indians against the Sant Fee Railroad Co. as their absolute Trustee and absolute Guardian.
9. The United States Supreme Court ruled in 1985, in United States v. Dann, that the Secretary of the United States Interior Department was the Trustee and Guardian for the Danns who are American Indians by ancestor, were not enrolled in any American Indian Nation, owned their own property, paid all taxes on their property, and were complying with all laws of the United States at the time the United States Government brought a law suit against them in 1974. This ruling by the United States Supreme Court proved that the United States Government is the Trustee and Guardian over all American Indian individuals and it also proved that the United States Governments American Indian Trusteeship the United States Governments American Indian Guardianship did not apply only to the American Indian Tribes within the borders of the United States but it also applied to the individual American Indians as well.

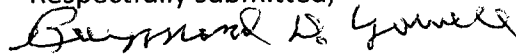
States Governments American Indian Trusteeship and the United States Governments American Indian Guardianship did not apply only to the American Indian Tribes but it also applied to the individual American Indians as well.

10. The United States Court Case, Nevada v. the United States, wherein the United States Government represented the American Indians against the State of Nevada as their Trustee and Guardian.

CONCLUSION

Pursuant to the above points and authorities that are the facts and evidence to this Case, the Court must hold off on any request by the U. S. Attorney for motions on Fed. R. Civ. 12(b)(6) and Fed. R. Civ. P.12(c) and Fed. R. Civ. P. 56 on this Case until the U. S. Attorney presents admissible factual evidence that refute all of the Plaintiffs points and authorities that the United States Government is not the Trustee and Guardian of the Plaintiff.

Respectfully submitted,



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